

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**CEDRICK R. DAVIS,**

**Plaintiff,**

**VS.**

**TONG GRIFFEN,**

**Defendant.**

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**NO: 5:11-CV-395 (CAR)**

**PROCEEDINGS UNDER 42 U.S.C. § 1983  
BEFORE THE U. S. MAGISTRATE JUDGE**

**RECOMMENDATION**

Plaintiff Cedrick R. Davis has filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. Doc. 1. Because Plaintiff has failed to respond to the Court's orders and has failed to diligently prosecute his action, it is hereby **RECOMMENDED** that Plaintiff's complaint be **DISMISSED**.

On August 12, 2011, Plaintiff filed his complaint pursuant to Section 1983 against Defendant Tony Griffin<sup>1</sup>. Doc. 1. On October 24, 2011, the Court ordered Plaintiff to supplement his complaint and to show cause as to why the lawsuit should not be dismissed. Doc. 8. Plaintiff was given fourteen (14) days to respond to the Court's orders. As of this date, Plaintiff has failed to respond to the Court's orders.

Rule 41(b) of the Federal Rules of Civil Procedure provides that the Plaintiff's "failure to prosecute or to comply with these rules or a court order" may result in the dismissal of Plaintiff's action. Because Plaintiff has failed to comply with the Court's order and failed to prosecute his action, it is hereby **RECOMMENDED** that Plaintiff's complaint be **DISMISSED**.

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<sup>1</sup> Defendant Griffin's name is misspelled as "Tong Griffin" in the docket and pleadings.

Pursuant to 28 U.S.C. § 636 (b)(1), the parties may serve and file written objections to this **RECOMMENDATION** with the district judge to whom the case is assigned **WITHIN FOURTEEN (14) DAYS** after being served with a copy thereof.

**SO RECOMMENDED**, this 13th day of February, 2012.

s/ Charles H. Weigle  
Charles H. Weigle  
United States Magistrate Judge